



The Rule-Making Process

How It Works and How You Can Get Involved

First Annual FAR/DFARS Conference

October 24, 2006





Overview

- ▶ FAR
- ▶ DFARS
- ▶ Procedures, Guidance, and Information (PGI)
- ▶ The Rulemaking Process
- ▶ How You Can Become Involved



Federal Acquisition Regulation (FAR)

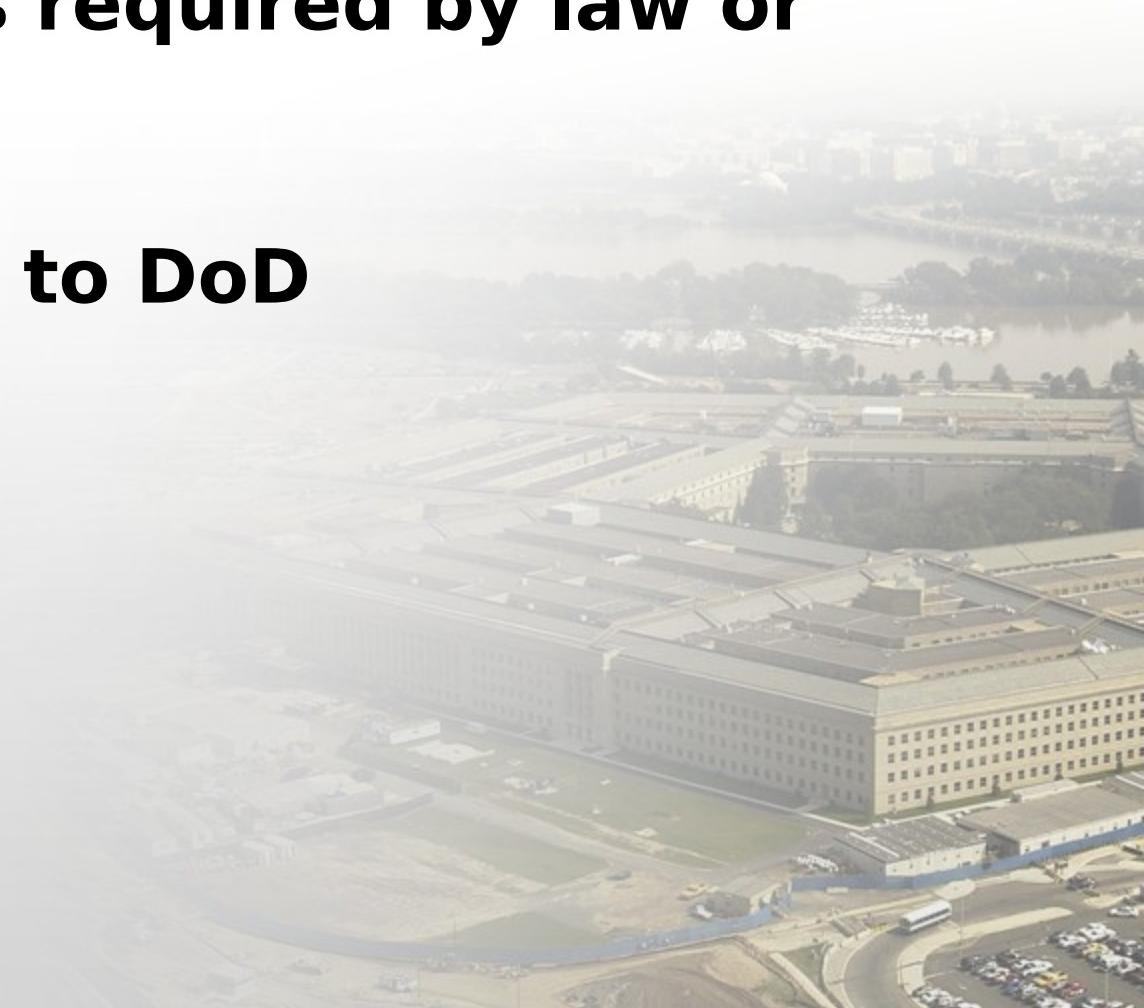
- ▶ **Regulations required by law and policy**
- ▶ **Rules apply to Federal Government agencies**





Defense Federal Acquisition Regulation Supplement (DFARS)

- ▶ **Regulations required by law or policy**
- ▶ **Rules apply to DoD**





Procedures, Guidance and Information (PGI)

- ▶ Internal DoD procedures
- ▶ Provides a central point for locating:
 - Agency guidance
 - Training
 - Guides
 - Outside resources
 - OSD policy letters
 - Other pertinent information
- ▶ Companion resource to the DFARS
- ▶ Single access-point to internal DoD acquisition procedures, policy training and class deviations

[www.acq.osd.mil/dpap/
dars/
pgi/current/pgi_html.htm](http://www.acq.osd.mil/dpap/dars/pgi/current/pgi_html.htm)



What is PGI

► **Includes:**

- Procedures (Mandatory and optional DoD-internal procedures)
- Guidance
- Training
- Other Reference Material (agency guides, handbooks, etc.)

► **Does not include material that:**

- Has significant impact on the public
- Is statutory and/or a codified regulation



Why We Have PGI

VALUE

- Dynamic- Does not require public comment process (changes can be published quickly)
 - Supports rapid change
 - Fosters flexibility and innovation
 - Expedites process
- Clear Distinction between regulation vs procedure
- Web based Access

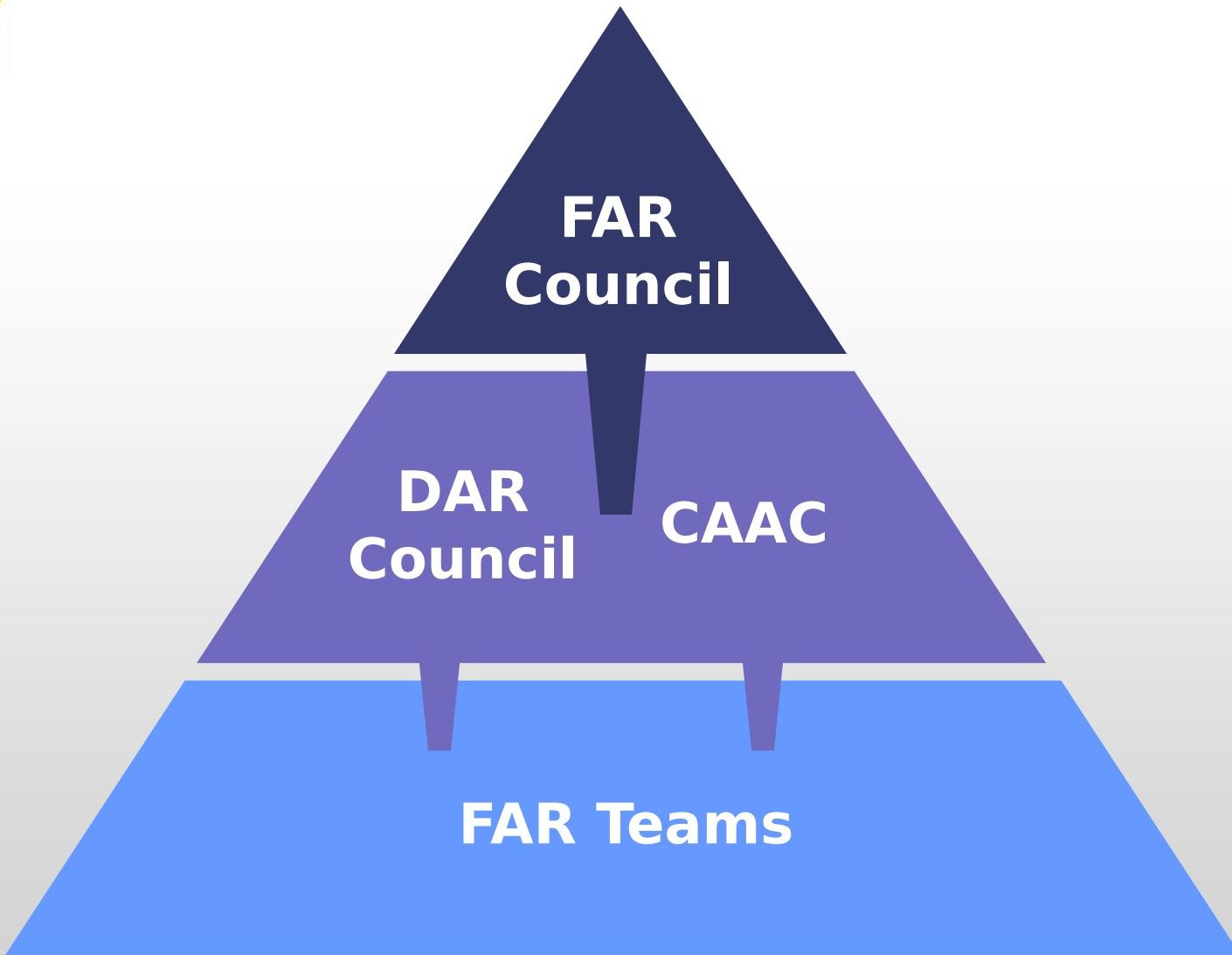


The Rulemaking Process





FAR Council Structure





Federal Acquisition Regulation (FAR) Council

► FAR Council Members:

- **Chair: Office of Federal Procurement Policy (OFPP)**
- **Department of Defense (DoD)**
 - DPAP represents DoD
- **General Services Administration (GSA)**
- **National Aeronautics and Space Administration (NASA)**

► Responsibilities:

- **Provide overall strategy to the DAR Council and CAAC**
- **Resolve disagreements between the DAR Council and CAAC**





Sources of FAR/DFARS/PGI Changes

Legislation

IG & GAO Recommendations

Court Decisions

OFPP Policy Letters

Executive Orders

Agency Recommendations

Individual Recommendations

Industry Recommendations

Policy Changes

**FAR
DFARS
PGI**



FAR Change Process

FAR Principals

- Director, DAR Council
- NASA, DAR Council Rep.
- Chairman, CAAC

FAR Team

DAR Council/CAAC

OFPP/OIRA

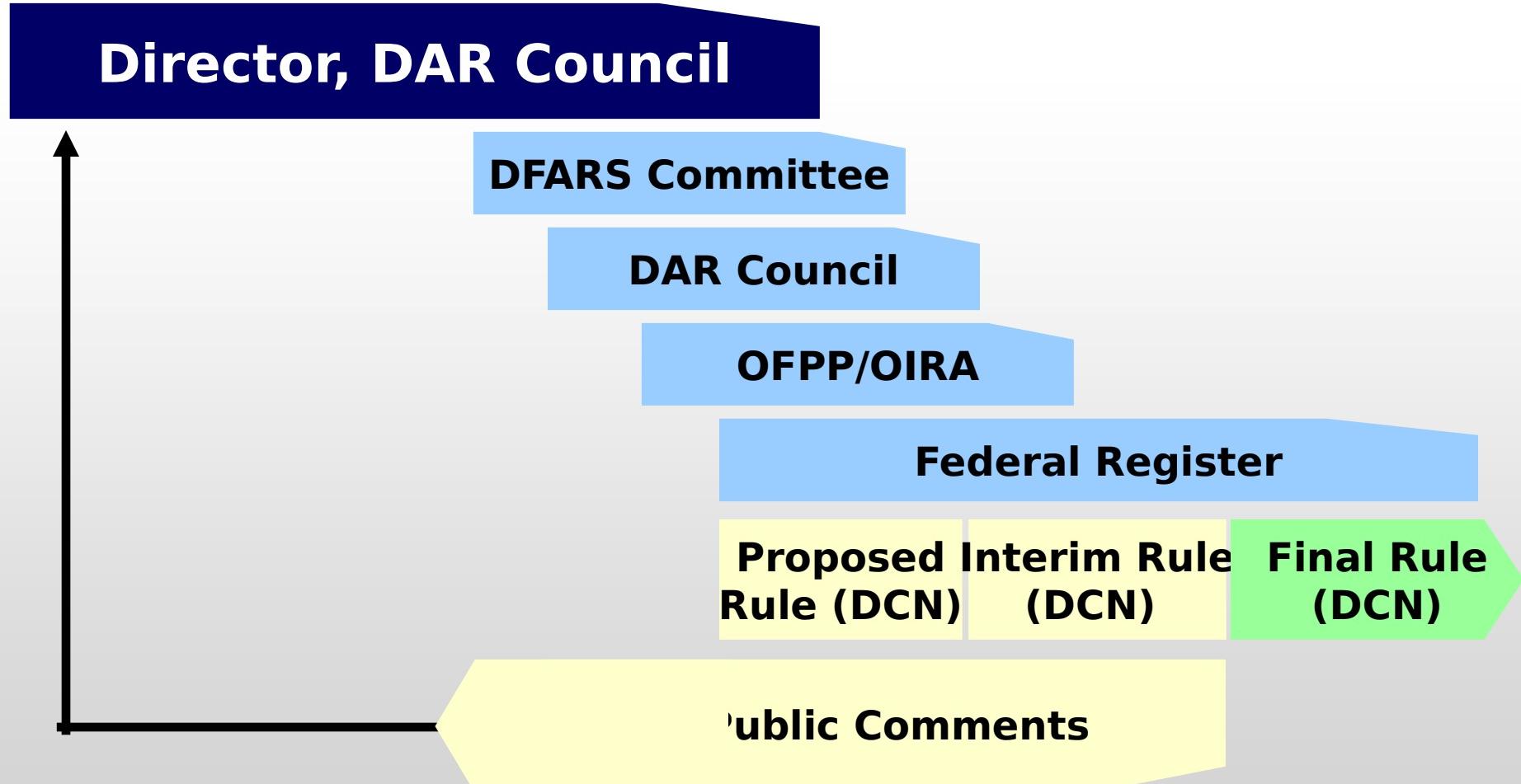
Federal Register

Proposed Rule Interim Rule (FAC) Final Rule (FAC)

Public Comments



DFARS Change Process





PGI Change Process





Defense Acquisition Regulation (DAR) Council

► DAR Council Members:

- **Chair: Deputy Director, DPAP (DARS)**
- **Military Services (Army, Navy, Air Force)**
- **Defense Agencies (DCMA, DLA)**
- **NASA**

► Responsibilities:

- **Promulgate the DFARS and PGI**
- **Promulgate the FAR (in conjunction with CAAC)**





Get Involved in the Rulemaking Process

- ▶ **Review DFARS and FAR proposed and interim rules**
 - **Change Notices:**
<http://www.acq.osd.mil/dpap/dars/dfars/changenotice/index.htm>
- ▶ **Submit input**
 - **Agency comment (through command channels)**
 - **Internet (follow local and agency procedures)**
- ▶ **View public comments on proposed & interim rules**
 - **DFARS rules:** <http://www.acq.osd.mil/dpap/dars/publiccomm/>
 - **FAR rules:** www.regulations.gov
- ▶ **View status of open cases**
 - <http://www.acq.osd.mil/dpap/dars/opencases/farcasenum/far.pdf>
 - <http://www.acq.osd.mil/dpap/dars/opencases/dfarscasenum/dfars.pdf>



We Want to Hear From You

► Get Informed

- **View DFARS Change Notices:**
www.acq.osd.mil/dpap/dars/dfars/changenotice/index.htm
- **Sign up for DFARS News via e-mail**

► Get Involved

- **Submit comments on FAR and DFARS**
www.acq.osd.mil/dpap/dars/publiccomm/
- **Attend public meetings**
<http://www.acq.osd.mil/dpap/dars/publicmeeting/>
- **Voice your ideas**

► View Public Comments:

- **DFARS rules:** <http://www.acq.osd.mil/dpap/dars/publiccomm/>
- **FAR rules:** www.regulations.gov

